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C O N F I D E N T I A L ANKARA 000023

SIPDIS

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SUBJECT: APPROVAL OF CONSTITUTIONAL AMENDMENTS APPEARS TO
OPEN WAY TO PRIME MINISTERSHIP FOR AK CHAIRMAN ERDOGAN

REF: 2002 ANKARA 9183

(U) Classified by DCM Robert Deutsch; reason: 1.5 (b,d).

1. (U) President Sezer's Dec. 31 approval of a package of constitutional reforms appears to open the door for Justice and Development (AK) Party leader Erdogan to regain his political rights, run for Parliament, and become Prime Minister. A political reform package of legal amendments (the second of the AK government's reform packages), designed among other things to clear Erdogan's criminal record, awaits Parliament's endorsement this week. Erdogan has said he will decide within days whether to apply to participate in the re-run of the general election in Siirt province. The Siirt election is currently scheduled for Feb. 9. However, Supreme Election Board (YSK) chairman Algan declared publicly January 2 that March or April would be more appropriate "owing to weather conditions" and in order to bring the election law into conformity with the new constitutional amendments.

2. (C) At the same time powerful elements of the State -- including the judiciary, security services, and some in the Turkish General Staff -- continue to share Sezer's wariness toward Erdogan. These elements still have the means to attempt to hobble Erdogan and to promote and exploit intra-AK frictions. Specifically, legal hurdles remain with which Erdogan must contend, including ongoing corruption trials linked to Erdogan's 1994-98 tenure as Mayor of Istanbul. In addition, the closure case against AK continues.

3. (C) Comment: run-up to the Siirt election will occur in the context of a sharpened international and domestic Turkish debate on Iraq. Given Erdogan's insistence on controlling the current AK government's decisions from party headquarters, his propensity to play to popular feelings, and his desire not to be handed any fait accompli, we expect GOT decision-making to be further encumbered in January and February.
PEARSON